



UNITED STATES OF AMERICA  
RAILROAD RETIREMENT BOARD  
844 NORTH RUSH STREET  
CHICAGO, ILLINOIS 60611-1275

OFFICE OF GENERAL COUNSEL

MAY 06 2019

Mr. Russ Kick  
MuckRock News  
DEPT MR 71776  
411A Highland Avenue  
Somerville, MA 02144-2516

Re: Freedom of Information Act Request  
dated April 15, 2019

C. 19-1689

Dear Mr. Kick:

This is in response to your facsimile Freedom of Information Act (FOIA) request, dated April 15, 2019, to the Railroad Retirement Board (RRB), wherein you requested a PDF or Excel spreadsheet of the RRB's FOIA logs covering 2018, including a field showing the subject of each request and the final disposition.

The Railroad Retirement Board (Board) is an independent agency in the executive branch of the United States Government which is charged with the administration of the Railroad Retirement Act (45 U.S.C. § 231 et seq.) and the Railroad Unemployment Insurance Act (45 U.S.C. § 351 et seq.). The Railroad Retirement Act replaces the Social Security Act with respect to employment in the railroad industry.

Initially, please be advised that the FOIA does not require Federal agencies to answer questions, create records, or conduct research in response to a FOIA request, but rather is limited to requiring agencies to provide access to reasonably described, nonexempt records. See *Students Against Genocide v. Dep't. of State*, 257 F3d 828, 837 (D.C. Cir. 2001).

The RRB is a relatively small agency and receives, on average, approximately one hundred FOIA requests per year. The RRB processes cases manually and currently utilizes an in-house case management system and Microsoft - Excel to track and report its raw data elements, as required annually, to the Department of Justice, Office of Information Policy (DOJ-OIP). Please be advised that the RRB's in-house case management system does not contain a field showing the subject of each individual



request, and accordingly, we are unable to comply with your request. However, as stated previously, the RRB is required by DOJ-OIP to annually track and report its raw data elements for all FOIA requests received in a reporting year. The RRB utilizes a Microsoft Excel spreadsheet for this purpose. For your information, the RRB's Fiscal Year 2018 raw statistical data is posted on the RRB's website and may be accessed at [https://rrb.gov/sites/default/files/2019-02/FY2018FOIA\\_RAW\\_DATA.xlsx](https://rrb.gov/sites/default/files/2019-02/FY2018FOIA_RAW_DATA.xlsx).

You may contact myself, the RRB's FOIA Public Liaison, at (312) 751-4945, for any further assistance and to discuss any aspect of your request. Additionally, you may contact the office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, Maryland 20740-6001; email at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

#### Appeal Rights.

The regulations of the Railroad Retirement Board provide that you may appeal the denial of a requested record by writing to the Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-1275, within 90 days following your receipt of this letter. A letter of appeal must include reference to, or a copy of, this letter.

I trust that this information is helpful.

Sincerely,

A handwritten signature in cursive script, reading "Marguerite P. Dadabo".

Marguerite P. Dadabo  
Assistant General Counsel